



Keith Johnson
County Administrator

BOARD OF COMMISSIONERS
FRANKLIN COUNTY
WASHINGTON

BRAD PECK
District 1

ROCKY MULLEN
District 2

CLINT DIDIER
District 3

AGENDA
Regular Board Meeting and Public Hearing
Tuesday May 3, 2022

Franklin County Courthouse, Commissioners' Meeting Room
1016 North Fourth Avenue, Pasco, Washington

This is a preliminary agenda. Discussion items may be added, deleted or modified. Public Hearings will not start earlier than the advertised time. Other agenda times are approximate and provided to aid in planning.

Join us live stream on YouTube – Franklin County WA Commissioners Meeting (current date)

9:00 a.m. Call to Order and Pledge of Allegiance

9:01 a.m. Approval of Minutes

- *April 19, 2022 Commissioners Meeting Minutes*

9:01 a.m. Office Business

1. Approval of Payroll Rosters
 2. Approval of Warrant Registers
 3. Approval of Consent Agenda
-
1. Resolution 2022-092 Appointing John Franklin to the Franklin County Civil Service Commission
 2. Resolution 2022-093 Appointment of Jarom Empey to the Horticultural Pest Board
 3. Resolution 2022-094 Lease of Konica Copier in Corrections Medical
 4. Resolution 2022-095 2022 Crack Sealing on Various Roads
 5. Resolution 2022-096 Supplement 2 to Local Agreement CRP 624- Safety-LED Signs, Dynamic Signals and Reflector Posts

9:04 a.m. Proclamation - Child Care Provider Appreciation Day 2022

9:06 a.m. Proclamation - Franklin County Older Americans Month

9:08 a.m. Commissioner/Administrator Updates

9:15 a.m. Public Comment by Phone: 509-546-5859

We welcome your comments. Please Limit Your Comments to 3 Minutes.

- 9:20 a.m. Short Plat 2022-04 Lot Frontage Deviation Request- Blasdel**
Presented by Planning and Building Director Derrick Braaten (Consensus)
- 9:30 a.m. Closed Record Hearing- Conditional Use Permit 2021-14- Maria Espinosa**
Presented by Planning and Building Director Derrick Braaten (Resolution 2022-097)
- 9:40 a.m. Closed Record Hearing- Conditional Use Permit 2022-01-Christopher Hart**
Presented by Planning and Building Director Derrick Braaten (Resolution 2022-098)
- 9:50 a.m. Public Comment- Please Limit Your Comments to 3 Minutes**
- 10:00 a.m. Executive Session RCW 42.30.110 (1) (i), to discuss with legal counsel: Litigation or Potential litigation. 30 Minutes (Resolution 2022-099)**
- 10:30 a.m. Administration Office Business**
- 10:35 a.m. Executive Session RCW 42.30.110 (1) (i), to discuss with legal counsel: Litigation or Potential litigation. 10 Minutes**
- 10:45 a.m. Closed Session RCW 42.30.140 (4) (b) Collective Bargaining**
Presented by Humans Resources Director Eric Wyant
- 11:00 a.m. Adjourn**



FRANKLIN COUNTY, WASHINGTON BOARD OF COMMISSIONERS

REGULAR MEETING AND
PUBLIC HEARING
MAY 3, 2022

The Minutes of the Board of Commissioners proceedings are not verbatim. Access to an electronic audio recording of meetings are available on the Franklin County website or upon request.

9:00 a.m.

Call to Order and Pledge of Allegiance

Commission Chairman Clint Didier called the Franklin County Commissioners' Regular Board Meeting to order at 9:00 a.m., in the Commissioners' Meeting Room in the Franklin County Courthouse located at 1016 North Fourth Avenue, Pasco, Washington.

Commissioners Present: Commission Chair Clint Didier, Chair Pro Tem Rocky Mullen and Member Brad Peck

9:01 a.m. **Approval of Minutes**

❖ *April 19, 2022 Commissioners Meeting Minutes approved as presented*

Commissioner Didier asked Administrator Keith Johnson to look into the sealed documents spoken of during last week's meeting.

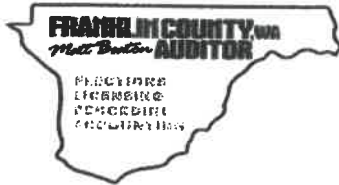
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FRANKLIN COUNTY, WASHINGTON BOARD OF COMMISSIONERS

REGULAR MEETING AND
PUBLIC HEARING
MAY 3, 2022

9:01 a.m. Approval of Fund Expenditure Warrants



1016 N 4th Ave
Pasco, WA 99301
(509) 545-3502

05/03/2022

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.089, expense reimbursement claims.

Action: As of this date, 05/03/2022

Move that the following warrants be approved for payment:

Certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

Warrants \ Check Numbers:	00381293 - 00381440	\$872,054.85
EFT Check Numbers:	00001141 - 00001144	\$4,903.00
		<u>\$876,957.85</u>

Fund Expenditures	Amount Issued
CURRENT EXPENSE	\$164,628.28
AUDITOR O & M	\$103.36
TREASURER O & M	\$25.18
EDA CARES ACT RECOVERY ASSIST	\$305,338.40
SHERIFF SEX OFFENDER GRANT	\$135.46
JAIL COMMISSARY	\$9,080.78
ENHANCED 911	\$2,478.72
COUNTY ROADS	\$222,922.32
SOLID WASTE	\$14,255.46
VETERAN'S ASSISTANCE	\$4,582.52
ENDING HOMELESSNESS	\$39,374.86
THE HAPO CENTER	\$911.85
FRANKLIN COUNTY RV PARK	\$1,803.84
MOTOR VEHICLE	\$111,316.82

In the amount of: \$876,957.85

The motion was seconded by: Bob Peck

And passed by a vote of 3 to 0

Reviewed by the County Administrator: [Signature]

The attached vouchers have been approved by Auditor or Deputy:
Matt Beaton

Tim Anderson, by

[Signature]

Vouchers Audited By:
Thomas C. Westerman

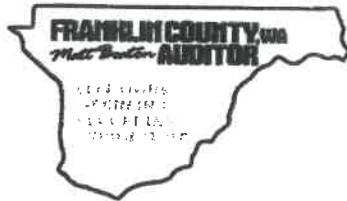
- ❖ Commissioner Mullen moved to approve Fund Expenditures audited and certified by the auditing officer for warrants prepared for the week of May 3, 2022 for payment totaling \$876,957.85. Commissioner Peck seconded and the motion carried.



FRANKLIN COUNTY, WASHINGTON
BOARD OF COMMISSIONERS

REGULAR MEETING AND
PUBLIC HEARING
MAY 3, 2022

9:01 a.m. Approval of Salary Clearing and Emergency Management Payroll



1016 N 4th Ave, Pasco,
WA 99301
509-545-3502

May 3, 2022

Franklin County Commissioners:

Vouchers audited and certified by the auditing officer by RCW 42.24.080, expense reimbursement claims certified by RCW 42.24.090, have been recorded on a listing, which has been sent to the board members.

Action: As of this date, May 3, 2022
moves that the following warrants be approved for payment.

<u>FUND</u>	<u>WARRANT</u>	<u>AMOUNT</u>
Salary Clearing Payroll:		
Net Payroll Checks	00381243-00381255	\$ 8,959.70
Net EFT Payroll Checks	00040095-00040354	\$ 492,099.55
Deduction and Contribution Checks	00381271-00381284	\$ 200,762.16
A/P EFT	00001140	\$ 308,729.55
	Total	\$ 1,010,550.96
Emergency Mgmt Payroll:		
Net EFT Payroll Checks	00040091-00040094	\$ 8,753.44
Deduction and Contribution Checks	00381256-00381270	\$ 12,576.55
	Total	\$ 21,329.99
Grand Total All Payrolls		\$ 1,031,880.95

In the total amount of \$1,031,880.95

The motion was seconded by and passed by a vote of 3 to 0.

The attached payroll has been approved by Auditor or Deputy

Payroll Prepared by Peter Gadomski

- ❖ Commissioner Mullen moved to approve Salary Clearing and Emergency Management Payroll totaling \$1,031,880.95 Commissioner Peck seconded and the motion carried.



FRANKLIN COUNTY, WASHINGTON BOARD OF COMMISSIONERS

REGULAR MEETING AND
PUBLIC HEARING
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9:03 a.m. Approval of Consent Agenda

1. Resolution 2022-092 Appointing John Franklin to the Franklin County Civil Service Commission
2. Resolution 2022-093 Appointment of Jarom Empey to the Horticultural Pest Board
3. Resolution 2022-094 Lease of Konica Copier in Corrections Medical
4. Resolution 2022-095 2022 Crack Sealing on Various Roads
5. Resolution 2022-096 Supplement 2 to Local Agreement CRP 624- Safety-LED Signs, Dynamic Signals and Reflector Posts

❖ *Commissioner Mullen moved to approve consent agenda items 1-5. Commissioner Peck seconded. Commissioner Didier had a question on #5. The motion carried.*

9:04 a.m. Proclamation - Child Care Provider Appreciation Day 2022

❖ *Commissioners were in consensus with approval for this proclamation*

9:06 a.m. Proclamation - Franklin County Older Americans Month

❖ *Commissioners were in consensus with approval for this proclamation*

9:08 a.m. Commissioner/Administrator Updates

Administrator Keith Johnson update

- Shoreline Reconveyance meeting with Umatilla Tribe- proposed draft by February 2023
- HAPO Energy Audit- presentation to be brought forth soon
- Pasco Landfill Project- Grant agreement on the clean-up of the landfill
- Kick off meeting for a new Juvenile Justice Center being proposed
- Potential ARPA projects with regards to water and emergency services

Commissioner Peck update

- Business owners and Washington Business Law-preparing specific bills to provide relief for small businesses coming before the 2023 legislative session
- WSAC- Washington Fish and Wildlife- Fish issues and habitat
- WSAC- Water Law and changes that may affect the AG industry
- Discussion with constituents on east low canal "Columbia Basin Development Project" and federal funding available.



FRANKLIN COUNTY, WASHINGTON BOARD OF COMMISSIONERS

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Commissioner Mullen

- Pasco Chamber- Sagebrush Scramble upcoming June 16, 2022.
- Visit Tri-Cities lighting on cable bridge LED. New visitor's guide available now- accepting nominations for outstanding individuals and businesses that have enhanced the tourism industry through excellent customer service skills.
- Move ahead Washington plan, 75 million to the Ben Franklin Transit over 16 years. Funded through increase of car tabs, transfers, titles, and temporary permits.
- Neighbor had pickup stolen and law enforcement was unable to apprehend the suspect. Neighbor tracked truck by GPS and recovered stolen property by himself. Commissioner Mullen is deeply concerned with the restrictions Law Enforcement agencies are bound by, which allows for increased lawlessness.

Commissioner Didier update

- Ben Franklin Transit interviews for new General Manager Position
- Ben Franklin Workforce Development

9:16 a.m. Short Plat 2022-04 Lot Frontage Deviation Request- Blasdel

Planning and Building Director Derrick Braaten displayed a PowerPoint presentation in which he explained the reason for the request.

- ❖ *After a brief discussion, Commissioner Peck moved to approve the lot deviation request, reducing the allowed lot frontage for Lot 2, of Short-Plat 2022-04. Commissioner Mullen seconded and the motion carried.*

9:20 a.m. Closed Record Hearing- Conditional Use Permit 2021-14- Maria Espinosa

Commissioner Didier opened the Closed Record Hearing at 9:20 a.m.

Planning and Building Director Derrick Braaten gave a brief description on Conditional Use Permit 2021-14- Maria Espinosa with its findings and conditions.

Commissioner Didier closed the Closed Record Hearing at 9:26 a.m.

- ❖ *Commissioner Peck moved to approve resolution 2022-97 as presented (CUP 2021-14). Commissioner Mullen seconded and the motion carried.*

Commissioner Didier opened the Closed Record Hearing at 9:27 a.m.

9:27 a.m. Closed Record Hearing- Conditional Use Permit 2022-01-Christopher Hart

Planning and Building Director Derrick Braaten gave a brief description on Conditional Use Permit 2022-01- Christopher Hart with its site plan, findings and conditions.

Commissioner Didier closed the Closed Record Hearing at 9:30 a.m.



**FRANKLIN COUNTY, WASHINGTON
BOARD OF COMMISSIONERS**

**REGULAR MEETING AND
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- ❖ ***Commissioner Peck moved to approve resolution 2022-098 as presented (CUP 2022-01). Commissioner Mullen seconded and the motion carried.***

9:32 a.m. Closed Session RCW 42.30.140 (4) (b) Collective Bargaining

Commissioner Didier recessed into Closed Session at 9:33 a.m., for up to 30 minutes to discuss Collective Bargaining with Humans Resources Director Eric Wyant. Those participating are Commissioner Didier, Commissioner Mullen, Commissioner Peck, County Administrator Keith Johnson, Clerk of the Board Karin Milham and Human Resources Director Eric Wyant.

9:49 a.m. Commissioner Didier reconvened the regular meeting to extend the closed session for an additional ten minutes under the same RCW.

Commissioner Didier reconvened the regular meeting at 10:00 a.m.

10:00 a.m. ***RECESS Commissioner Didier called for a ten minute recess.***

10:10 a.m. Executive Session RCW 42.30.110 (1) (i), to discuss with legal counsel: Litigation or Potential litigation.

Commissioner Didier recessed into Executive Session at 10:10 a.m., for up to 30 minutes to discuss litigation. Those participating are Commissioner Didier, Commissioner Mullen, Commissioner Peck, County Administrator Keith Johnson, Prosecuting Attorney Shawn Sant, Chief Civil Attorney Jennifer Johnson, Sheriff Jim Raymond, Human Resources Director Eric Wyant, Clerk of the Board Karin Milham and Risk Pool

10:42 a.m. Commissioner Didier reconvened the regular meeting to extend the executive session for an additional five minutes under the same RCW.

10:48 a.m. Commissioner Didier reconvened the regular meeting to extend the executive session for an additional five minutes under the same RCW.

10:53 a.m. Commissioner Didier reconvened the regular meeting.

10:55 a.m. Executive Session RCW 42.30.110 (1) (i), to discuss with legal counsel: Litigation or Potential litigation.

Commissioner Didier recessed into Executive Session at 10:55 a.m., for up to 10 minutes to discuss litigation. Those participating are Commissioner Didier, Commissioner Mullen, Commissioner Peck, County Administrator Keith Johnson, Prosecuting Attorney Shawn Sant, Chief Civil Attorney Jennifer Johnson, Clerk of the Board Karin Milham, and outside council.

11:04 a.m. Commissioner Didier reconvened the regular meeting to extend the executive session for an additional twenty minutes under the same RCW.

11:24 a.m. Commissioner Didier reconvened the regular meeting.

11:24 a.m. Prosecuting Attorney Shawn Sant introduced outside council representing the county in redistricting litigation, Frances Floyd and Amanda Daylong.



**FRANKLIN COUNTY, WASHINGTON
BOARD OF COMMISSIONERS**

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Mr. Floyd spoke of the redistricting settlement agreement and reasons he believed it was in the best interest of the citizens of the county.

1. Franklin County gets to keep the map that they chose, which complies with current Washington Voting Rights laws.
2. Plaintiffs have \$1,420,000.00 in attorney's fees. Under statute, they are entitled to recover their attorney's fees. By negotiating settlement, Mr. Floyd was able to reduce this amount to \$375,000.00 with installments.
3. Franklin County will be able to keep its existing election system.
4. The County will be immunized from any further lawsuit, by any entity, regarding voting rights act for the next four years.
5. Nothing in this lawsuit is about being racist. That statement is mischaracterized. This lawsuit merely indicated it had racially polarized voting, which is the result of democrats versus republicans.

❖ ***Commissioner Peck moved to approve settlement agreement resolution 2022-099 CR 2A Settlement Agreement #21-2-50210-11 as presented. Commissioner Mullen seconded and the motion carried.***

11:37 a.m.

- Mr. Johnson will set up meeting between McKinstry and Commissioners.
- Mr. Johnson will be out of the office the rest of the week.

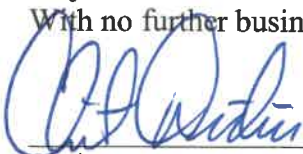
11:38 a.m. **Closed Session RCW 42.30.140 (4) (b) Collective Bargaining**

Commissioner Didier recessed into Closed Session at 11:38 a.m., for up to 30 minutes to discuss Collective Bargaining with Humans Resources Director Eric Wyant. Those participating are Commissioner Didier, Commissioner Mullen, Commissioner Peck, County Administrator Keith Johnson, Clerk of the Board Karin Milham and Human Resources Director Eric Wyant.


12:07 p.m. Commissioner Didier reconvened the regular meeting.

Adjourn

With no further business to bring before the Board, the meeting adjourned at 12:07p.m.


Chair


Clerk of the Board


Date